

(Counsel listed on Signature Page)

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

In Re General Capacitor

CASE NO. 4:16-cv-02458 HSG

Consolidated with Case No. 17-cv-179 HSG

STIPULATION AND ~~PROPOSED~~
ORDER MODIFYING SCHEDULING
ORDER

Pursuant to Civil Local Rule 7-12, Federal Rule of Civil Procedure 29, Enertrode, Inc. (“EnerTrode”) and Linda Zhong (“Zhong”) (together, “the Enertrode Parties”) and General Capacitor Co. Limited., Jianping Zheng aka Jim Zheng, General Capacitor International, Inc., General Capacitor, LLC (together, “General Capacitor”) submit this stipulation to modify the current scheduling order to allow the parties time to try to resolve outstanding discovery issues.

WHEREAS the parties have diligently engaged in substantial discovery to date;

WHEREAS the parties have met and conferred in good faith on a number of discovery disputes, successfully resolving several of them;

WHEREAS the parties continue to meet and confer in hope of resolving remaining discovery disputes and issues, including further document production and the drafting of a protocol governing computer forensics data collection;

WHEREAS the additional time to meet and confer would make it possible or more feasible to comply with the Magistrate's Order re Discovery Procedures insofar as it requires of the meet and confer process, followed by the filing of a negotiated joint statement on all outstanding disputes, limited to five pages, before or in lieu of motions to compel;

WHEREAS certain of the outstanding discovery issues may impact some of the parties' expert witnesses' opinions and reports;

WHEREAS pursuant to the current Scheduling Order (Dkt. No. 57), fact discovery closed on September 30, 2017 and, per Civil Local Rule 37-3, the deadline to file motions to compel discovery is tomorrow, October 7, 2017;

WHEREAS, pursuant to the current Scheduling Order (Dkt. No. 57), the deadline for parties to exchange opening expert reports is Sunday, October 15, 2017.

WHEREAS it would save judicial and party resources to continue the deadline to file motions to compel and to commensurately continue expert deadlines, so as to potentially avoid discovery motion practice;

WHEREAS a brief two-week continuance of the deadline to file motions to compel and the expert witness deadlines would not affect any of the other case dates or deadlines; and

WHEREAS, for the foregoing reasons, there is good cause to modify the scheduling order,

NOW THEREFORE, the parties stipulate and request that the Scheduling Order be modified as follows:

Litigation Event	Current Date	New Date
Motion to Compel Discovery Deadline	October 7, 2017	October 20, 2017
Exchange Opening Expert Reports	October 15, 2017	October 27, 2017
Exchange Rebuttal Expert Reports	November 15, 2017	November 29, 2017
Close of Expert Discovery	December 15, 2017	December 29, 2017

All other dates remain the same.

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2 IT IS SO STIPULATED.

3 Dated: October 6, 2017

4 /s/ Perry J. Narancic

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24 LINDA ZHONG
25
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ATTESTATION

I, Perry J. Narancic, am the ECF user whose ID and password are being used to file this document. In compliance with Local Rule 5-1(i)(3), I hereby attest that all signatories hereto have concurred in this filing.

Dated: October 6, 2017

/s/ Perry J. Narancic

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~~PROPOSED~~ ORDER

GOOD CAUSE appearing therefore, the case Scheduling Order is hereby modified as follows, and all other deadlines and dates remaining the same:

Litigation Event	Current Date	New Date
Motion to Compel Discovery Deadline	October 7, 2017	October 20, 2017
Exchange Opening Expert Reports	October 15, 2017	October 27, 2017
Exchange Rebuttal Expert Reports	November 15, 2017	November 29, 2017
Close of Expert Discovery	December 15, 2017	December 29, 2017

IT IS SO ORDERED.

DATE: 10/10/2017

By:



Hon. Haywood S. Gilliam, Jr.
United States District Judge